

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 1:10-CR-76

vs.

Hon. Paul L. Maloney

CALVIN PAUL DERIDDER,

Defendant.

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PRELIMINARY ORDER OF FORFEITURE

A. In a Plea Agreement (Docket No. 22), Defendant Calvin Paul Deridder consented to the forfeiture of his interest in the following property listed in the Forfeiture Allegation of the Indictment:

1. One Sony Vaio Desktop Computer, Serial Number 3020123; and
2. One Western Digital External Passport USB drive, Serial Number WXKOA69J3358 (the "Subject Personal Property").

B. On August 10, 2010, Defendant pled guilty to Count One of the Indictment, charging him with receipt of child pornography in violation of Title 18, United States Code, Section 2252A(a)(2)(A) and (b)(1). (Docket Nos. 23-25.) The Court accepted the guilty plea and adjudicated Defendant guilty on August 25, 2010. (Docket No. 27.)

C. Based on the plea and the Plea Agreement, this Court finds:

1. that the Subject Personal Property was used or intended to be used to commit or promote the commission of violations of Title 18, United

States Code, Section 2252A;

2. that Defendant had an interest in the Subject Personal Property; and
3. that the Government has established the requisite nexus between the same and the Defendant's violations of Title 18, United States Code, Section 2252A.

Accordingly, **IT IS ORDERED** under Title 18, United States Code, Section 2253, and Rule 32.2 of the Federal Rules of Criminal Procedure, that the Defendant's interest in the Subject Personal Property is forfeited to the United States of America.

IT IS FURTHER ORDERED that the United States Immigration and Customs Enforcement seize the Subject Personal Property and dispose of the same in accordance with applicable law and regulations, to include Fed. R. Crim. P. 32.2 regarding protection of third-party rights.

IT IS FURTHER ORDERED that notice of this forfeiture shall be published in accordance with Title 21, United States Code, Section 853(n)(1).

Dated: August 26, 2010

/s/ Paul L. Maloney
PAUL L. MALONEY
Chief United States District Judge